

# Your Rights: The Minnesota Human Rights Act



Minnesota Department of  
**HUMAN RIGHTS**



*Who is protected?  
What is illegal discrimination?  
What is the role of the Department?*

*Your guide to the Minnesota Human Rights Act with answers to common questions and misconceptions.*



## THE MINNESOTA HUMAN RIGHTS ACT

The Minnesota Department of Human Rights is the state agency within the Governor's Cabinet responsible for enforcing the Minnesota Human Rights Act (Chapter 363A). The Human Rights Act is a state law prohibiting discrimination in Minnesota.

Every person in Minnesota is protected by the Human Rights Act as every person, based on their personal characteristics such as a person's race or sex, belongs to one or more of the protected classes below:

- Race
- Color
- Creed
- Religion
- National Origin
- Sex
- Marital Status
- Familial Status
- Disability
- Public Assistance Status
- Age
- Sexual Orientation

- Local Human Rights Commission Activity

For discrimination to be illegal, it must have happened because of the individual's protected class (personal characteristic).

The Human Rights Act broadly prohibits discrimination in the following areas:

- Employment
- Housing
- Public Accommodations
- Public Services
- Education
- Credit
- Business

In enacting the law, the Minnesota legislature stated that the law was necessary because “discrimination threatens the rights and privileges” of people and “menaces the institutions and foundations of [our] democracy.”

## SUMMARY OF PROTECTIONS

### WHAT IS ILLEGAL DISCRIMINATION?

The most common form of unlawful discrimination occurs when people are treated differently because of a protected characteristic. This type of discrimination is bias based on stereotype or intentional discrimination. For example, an employer fires Jayne but does not fire Paul after both employees miss work on Monday.

If the employer fired Jayne because of a belief that as a woman she will miss work more often than its male employees because women have childcare responsibilities, the decision by the employer is a form of discrimination called disparate treatment.

Another common form of unlawful discrimination occurs when a neutral policy or practice adversely impacts people of a protected class more than other classes or unequally. This is called disparate impact discrimination. For example, an employer decides that for certain positions in its company that it will only hire employees who have a college degree.

As earning a college degree varies among different protected groups, the decision of the employer to require a college degree may amount to disparate impact discrimination if the employer can't demonstrate a business need for requiring job applicants to have a college degree.

The following examples are some of the most common allegations found in charges filed with MDHR:

## EMPLOYMENT

- Refusing to interview or hire someone
- Denying opportunities for training or promotion
- Creating or allowing a hostile working environment to exist
- Refusing to reasonably accommodate an individual with a disability
- Terminating an individual

## HOUSING

- Denying loans or offering less favorable terms and conditions to applicants
- Refusing to rent an apartment
- Refusing to make necessary repairs to a rental unit
- Refusing to reasonably accommodate an individual with a disability
- Evicting a tenant

## PUBLIC ACCOMMODATIONS

- Refusing to provide goods or services to certain individuals
- Denying the person the full and equal enjoyment of goods or services
- Refusing to reasonably accommodate an individual with a disability accompanied by a service animal.

## PUBLIC SERVICES

- Refusing to provide or limiting access to services
- Refusing to reasonably accommodate an individual with a disability



## EDUCATION

- Refusing to select for admission or provide education to certain individuals
- Denying the person the full utilization and benefit of an educational institution
- Refusing to reasonably accommodate an individual with a disability
- Excluding, disciplining or expelling certain individuals

## CREDIT

- Refusing to extend credit to certain individuals
- Denying or offering less favorable terms and conditions to certain individuals
- Requiring, as a condition of a contract, that a woman use her current surname rather than her former surname unless there is an intent to default or mislead

## BUSINESS

- Refusing to contract with certain individuals
- Denying or offering less favorable terms and conditions to certain individuals
- Requiring, as a condition of contract, that a woman use her current surname rather than her former surname

## ADDITIONAL PROHIBITED PRACTICES

The Human Rights Act also prohibits the following conduct:

- **Retaliating against** those who seek relief under the Human Rights Act, participate as a witness or supporting someone who is seeking relief under the law
- **Encouraging, compelling, coercing or assisting unlawful discrimination**
- **Intentionally obstructing** or preventing:
  - Individuals from complying with the Human Rights Act
  - The Department from enforcing the Human Rights Act.

## WHAT IS THE ROLE OF THE DEPARTMENT?

MDHR receives complaints of discrimination, referred to as charges, and conducts investigations. When the Department conducts investigations into charges of discrimination, it acts as a neutral enforcement agency. If the Department concludes that discrimination likely occurred, which we refer to as “probable cause,” we attempt to negotiate a settlement of the dispute. If we are unable to negotiate a settlement, we may refer the matter to the Office of the Minnesota Attorney General for litigation.

## COMMON QUESTIONS

*How do I contact the Department if I believe I have suffered discrimination?*

- **Meet with MDHR employees** at our offices. No appointment is needed, but you may wish to schedule an appointment to avoid waiting.
- **Contact us** by phone, email or by regular mail. See the back for contact information.

*How much time do I have to file a charge of discrimination?*

You must file a charge within one year of when the discrimination occurred or when you learned of the discrimination. If you fail to file your charge within one year, you will lose your ability to obtain relief under the Human Rights Act.

How much does it cost to file a charge with the Department?

There is no fee to file a charge with MDHR.

What could constitute a “reasonable accommodation?”

There is no one answer. Each situation is different. Some common examples are: accommodating an employee’s lifting restrictions or work hour restrictions, providing assistive technology for effective communication, and service animals. For more information on what might be a reasonable accommodation please visit our web site.

Answers to more common questions at [mn.gov/mdhr](http://mn.gov/mdhr)



# JURISDICTION CHART

How the Human Rights Act Protects Everyone in Minnesota

The department also prohibits retaliation; encouraging, compelling, coercing or assisting unlawful discrimination; and efforts to obstruct people from complying with or enforcing the law.	AREAS OF PROTECTION	Employment	Housing	Public Accommodations	Public Services	Education	Credit	Business
		●	●	●	●	●	●	●
		●	●	●	●	●	●	●
		●	●	●	●	●	●	
		●	●	●	●	●	●	
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## FOR FURTHER INFORMATION

Department staff are available to respond to inquiries made by letter, by phone or in person. Translation services will be arranged upon request.

### Call

651.539.1100 (Saint Paul Office)

1.800.657.3704 (Toll Free)

711 or 1.800.627.3529 (MN Relay)

### Write

Minnesota Department of Human Rights

Freeman Building

625 Robert Street North

Saint Paul, Minnesota 55155

### Visit

The Department's business hours are 8:00 a.m. to 4:30 p.m. Monday through Friday and our lobby is open for walk-in visitors during business hours.

### Connect

Web site: [mn.gov/mdhr](http://mn.gov/mdhr)

Facebook: [www.facebook.com/mnhumanrights](http://www.facebook.com/mnhumanrights)

Twitter: [www.twitter.com/mnhumanrights](http://www.twitter.com/mnhumanrights)

YouTube: [www.youtube.com/mnhumanrights](http://www.youtube.com/mnhumanrights)



*More information and resources about your rights and responsibilities under the Minnesota Human Rights Act at [mn.gov/mdhr](http://mn.gov/mdhr).*

